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David George De Vorchik

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EXAMINER

KISS, ERIC B

ART UNIT

PAPER NUMBER

2192

DATE MAILED: 12/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/015,958	Applicant(s) DE VORCHIK ET AL.	
	Examiner Eric B. Kiss	Art Unit 2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The reply filed September 26, 2006, has been received and entered. Claims 1-20 are pending.

Response to Amendment

2. Applicant's amendments to the claims do not appropriately address the rejection of claims 4-8, 10-15, 17, 18, and 20 under 35 U.S.C. § 101. Accordingly, this rejection is maintained (and further clarified below). Additionally, applicant is encouraged to review, "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility," Official Gazette, November 22, 2005, available on the Internet at <http://www.uspto.gov/web/offices/com/sol/og/2005/week47/patgupa.htm>.

3. Applicant's amendments to the claims appropriately address the rejection of claims 17 and 20 under 35 U.S.C. § 112, second paragraph. Accordingly, this rejection is withdrawn.

4. The rejection of claims 9, 11, 14, and 19 under 35 U.S.C. 102(b) as being anticipated by "User's Guide: Microsoft® Windows™ Operating System Version 3.1," 1993, Microsoft Corp., is withdrawn.

Response to Arguments

5. Applicant's arguments filed September 26, 2006, have been fully considered but they are not persuasive.

Again, the examiner notes that applicant is free to copy text from the specification into the claims if applicant desires specific limitations on how “wizard” is to be interpreted. The arguments of counsel cannot take the place of evidence in the record. *In re Schulze*, 346 F.2d 600, 602, 145 USPQ 716, 718 (CCPA 1965).

Regarding claim 7, *Fedorov et al.* discloses generating a user interface that integrates the web component into the host wizard by utilizing the extension interface to perform recursive navigation between said web component and said host wizard (the user-interface is provided by *equakeget.htm*, an HTML page, which interacts with the user and submits entered results to the Active Server Page script in *seismic.asp*; see, for example, “Submitting the Data” on p. 431). The host wizard (*seismic.asp*) is an Active Server Page that causes the loading and display of a wizard dialog box (see, for example, the last paragraph on p. 423), and the response to navigation events is implemented through the “< Back”, “Next >”, “Cancel”, and “Send” navigation controls as illustrated, for example, on pp. 424-426. **The interaction between *equakeget.htm* and *seismic.asp*, facilitated through the navigation buttons, provides the integration of the host wizard and web component.**

Regarding claim 1, *Gauthier et al.* discloses said host-wizard invoking said one or more subwizard components during said host-wizard component execution (see, for example, col. 9, line 56, through col. 10, line 5); and transferring control from said host-wizard to said one or more sub-wizard components. As disclosed in col. 14, line 9, through col. 15, line 24, the subwizard includes several objects that define its functionality. For example, the WizardState object included in the subwizard maintains a set of attributes used to get and channel data from default attributes and/or user input and deliver those attributes to a WizardCodeGenerator object

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(col. 14, lines 29-37), and the WizardCodeGenerator object uses this channeled data to either generate code (for example, in the context of a wizard designed to configure a peripheral device) or perform or execute existing code (col. 15, lines 1-24). **As the functionality for the subwizard is defined within the subwizard, control must be passed to the subwizard during execution in order to realize the described functionality.**

Regarding claim 2, *Gauthier et al.* further discloses the sub-wizard components being browser based object components (see, for example, col. 18, line 66, through col. 19, line 30). Again, the examiner notes that the term "browser based object component" is found within the original specification only in the context of original claims 2 and 5. **No definition of "browser based object component" that excludes XML is found in the specification (including original claims 2 and 5), nor has applicant advanced such an exclusive definition.**

Further, regarding claim 3, as the wizard components described in *Gauthier* are designed to execute on top of an operating system and provide additional functionality (e.g., enabling the display and interaction with user interface panels designed to facilitate code generation or execution), these components can be interpreted as operating system based extensions. **Again, it is noted that applicant has not provided a definition of the term "operating system based" that excludes this interpretation of *Gauthier*.**

Regarding claim 4, as noted above, *Gauthier et al.* discloses transferring control from a host-wizard to one or more sub-wizard components (see the arguments above regarding claim 1). The WizardState object included in the subwizard maintains a set of attributes used to get and channel data from default attributes and/or user input and deliver those attributes to a WizardCodeGenerator object (col. 14, lines 29-37), and the WizardCodeGenerator object uses

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this channeled data to either generate code (for example, in the context of a wizard designed to configure a peripheral device) or perform or execute existing code (col. 15, lines 1-24). The subwizards of Gauthier make up the target wizard (col. 7, lines 13-19). Gauthier at col. 13, lines 27-58, further describes the hierarchical control between the target wizard and its subwizards.

Regarding claim 12, Gauthier clearly discloses the use of buttons, such as BACK, NEXT, FINISH, CANCEL, and HELP, to navigate between panels in the target wizard. Gauthier further discloses the use of the GUI panel to allow the user to select one of the subwizards for execution, thus navigating between the host wizard and the subwizard (see, e.g., col. 14, lines 1-28, describing the GUI panels used by the subwizards, including the buttons).

Regarding claims 16-20, a **“property bag”** is interpreted as an assorted collection of **miscellaneous data, variables and other information that a developer needs to transfer between wizards**. *Fedorov et al.* teaches providing a host wizard (*seismic.asp*, an Active Server Page that causes the loading and display of a wizard dialog box; see, for example, the last paragraph on p. 423) and a subwizard (the user-interface provided by *equakeget.htm*, an HTML page, which interacts with the user and submits entered results to the Active Server Page script in *seismic.asp*; see, for example, “Submitting the Data” on p. 431), wherein a “property bag” (a return string) is generated to pass the results back to the host wizard (see, for example, “Submitting the Data” on p. 431, describing the passing of collected data to *seismic.asp* and the figure on p. 427, illustrating the subsequent display of the generated output in the web browser window).

Claim Objections

6. Claims 8, 10, 15, and 18 are objected to under 37 CFR 1.75(d), as reciting terms and phrases that do not find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description. Specifically, claims 8, 10, 15, and 18 recite, "machine readable medium". To overcome this objection, the examiner suggests replacing "machine readable medium" with --computer storage medium--, which has clear antecedent basis in the specification (see, e.g., p. 7, paragraphs 2-3).

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claims 4-8, 10-15, 17, 18, and 20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." In this context, "functional descriptive material" consists of data structures and computer programs which impart functionality when employed as a computer component. (The definition of "data structure" is "a physical or logical relationship among data elements, designed to support specific data manipulation functions." The New IEEE Standard Dictionary of Electrical and Electronics Terms 308 (5th ed. 1993).) "Nonfunctional descriptive material" includes but is not limited to music, literary works and a compilation or mere arrangement of data. Both types of "descriptive material" are nonstatutory when claimed

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as descriptive material *per se*. *In re Warmerdam*, 33 F.3d 1354, 1361, 31 USPQ2d 1754, 1760 (claim to a data structure *per se* held nonstatutory).

Data structures not claimed as embodied in computer-readable media are descriptive material *per se* and are not statutory because they are not capable of causing functional change in the computer. *See, e.g., In re Warmerdam*, 33 F.3d 1354, 1361, 31 USPQ2d 1754, 1760 (claim to a data structure *per se* held nonstatutory). Such claimed data structures do not define any structural and functional interrelationships between the data structure and other claimed aspects of the invention which permit the data structure's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory.

Similarly, computer programs claimed as computer listings *per se*, *i.e.*, the descriptions or expressions of the programs, are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program's functionality to be realized. In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. *See In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035.

Claim 4-6 and 17 recite a “computer system” comprising a series of elements that can be reasonably interpreted as software, *per se*. The claim does not define any structural and functional interrelationships between the software elements and a computer that would permit the described functionality to be realized when the software is employed as a computer component. Further, the language of claim 9 appears to provide evidence that claim 4 is intended to cover within its scope the software elements by themselves. Accordingly, claims 4-6 and 17 appear to merely set forth functional descriptive material *per se*, which is nonstatutory. If claim 4 were amended to include a “computer storage medium” having stored thereon computer-executable instructions for causing the computer system to carry out functions that produce a useful, tangible, and concrete result, then claim 4 would likely become statutory. As presently recited, the presumably-functional elements of claim 4 simply exist in isolation rather than being executable by a computer to cause some useful, tangible, and concrete result to be generated.

Claims 11 and 14 are similar to claims 4-6 and 17 in that they likewise recite a system comprising a series of elements that can be reasonably interpreted as software, *per se*. As presently recited, the presumably-functional elements of claims 11 and 14 merely co-exist with the preamble processor, memory, and operating environment. There is no recited functional or structural interrelationship between the computer elements of the preamble and the functional elements of the body of each claim such that any intended functionality of claims 11 and 14 can be realized through, for example, execution of program instructions by the processor. Further, if there is any tangible result achieved by the elements of claims 11 and 14, such result is not apparent in the claims.

A claim that requires one or more acts to be performed defines a process. However, not all processes are statutory under 35 U.S.C. § 101. To be statutory, a claimed process must either: (A) result in a physical transformation for which a practical application is either disclosed in the specification or would have been known to a skilled artisan, or (B) be limited to a practical application which produces a useful, tangible, and concrete result. *See Diamond v. Diehr*, 450 U.S. 175, 183-84, 209 USPQ 1, 9 (1981) (quoting *Cochrane v. Deener*, 94 U.S. 780, 787-88 (1876)) (“A [statutory] process is a mode of treatment of certain materials to produce a given result. It is an act, or a series of acts, performed upon the subject-matter to be transformed and reduced to a different state or thing The process requires that certain things should be done with certain substances, and in a certain order; but the tools to be used in doing this may be of secondary consequence.”). *See also In re Alappat*, 33 F.3d 1526, 1543, 31 USPQ2d 1545, 1556-57 (quoting *Diehr*, 450 U.S. at 192, [209 USPQ at 10]).

In *State Street*, the Federal Circuit examined some of its prior section 101 cases, observing that the claimed inventions in those cases were each for a “practical application of an abstract idea” because the elements of the invention operated to produce a “useful, concrete and tangible result.” *State St. Bank & Trust v. Signature Fin. Group*, 149 F.3d 1368, 1373-74, 47 USPQ2d 1596, 1601-02 (Fed Cir. 1998). For example, the court in *State Street* noted that the claimed invention in *Alappat* “constituted a practical application of an abstract idea (a mathematical algorithm, formula, or calculation), because it produced ‘a useful, concrete and tangible result’—the smooth waveform.” *Id.* Similarly, the claimed invention in *Arrhythmia* “constituted a practical application of an abstract idea (a mathematical algorithm, formula, or calculation), because it corresponded to a useful, concrete and tangible thing—the condition of a

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patient's heart." *Id.* (citing *Arrhythmia Research Tech. V. Corazonix Corp.*, 958 F.2d 1053, 22 USPQ2d 1033 (Fed. Cir. 1992)).

In determining whether the claim is for a "practical application," the focus is not on whether the steps taken to achieve a particular result are useful, tangible and concrete, but rather that the final result is "useful, tangible and concrete." The Federal Circuit further ruled that it is of little relevance whether a claim is directed to a machine or process for the purpose of a § 101 analysis. *AT&T Corp. v. Excel Commc'ns*, 172 F.3d 1352, 1358, 50 USPQ2d 1447, 1451 (Fed. Cir. 1999).

Claims 7, 12, 13, and 20 set forth methods where each step consists of, "generating [a component]" Merely providing/generating components capable of being used together to accomplish a certain task is not the same as carrying out that task. Claims 11, 14, and 15 are similar to claims 7 and 12 except that they set forth systems (claims 11 and 14) and a medium (claim 15). Accordingly, in the context of claims 7, 11-15, and 20, any practical application that the components are capable of achieving is not a required element of the claims. As claims 7, 11-15, and 20 are not limited to a practical application, the claims are non-statutory.

Note that "generating" a component is not a tangible result if the component itself is not necessarily tangible (e.g., generating a "host wizard", presumably a functional description of software, is different from generating a file in a storage medium or generating a display on a computer monitor). Further, "utilizing" appears to be an additional functional description rather than a computer-executed step that necessarily produces a useful, tangible, and concrete result.

Claims 8, 10, 15, and 18 set forth machine readable media having computer executable instructions. Applicant's specification defines "computer-readable media" as embracing communication media embodiments, reasonably interpreted to include signals encoded with functional descriptive material. (Specification p. 7, lines 5-7.) The Office's current position is that claims involving signals encoded with functional descriptive material do not fall within any of the categories of patentable subject matter set forth in 35 U.S.C. § 101, and such claims are therefore ineligible for patent protection. *See* 1300 OG 142 (November 22, 2005) (in particular, see Annex IV(c)). Note the objection to claims 8, 10, 15, and 18 under 37 CFR 1.75(d), as set forth above. Because the phrase "machine readable medium" does not find clear support in the specification it is not clear whether this phrase is distinct from the communication media embodiments. Amending these claims to recite "computer storage medium having computer executable instructions" would appropriately distinguish these claims from the communication media embodiments.

9. To expedite a complete examination of the instant application, the claims rejected under 35 U.S.C. §101 (non-statutory) above are further rejected as set forth below in anticipation of Applicant amending these claims to place them within the four statutory categories of invention.

Claim Rejections - 35 USC § 102

10. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

11. Claims 7, 10, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Alex Fedorov, et al., "Professional Active Server Pages 2.0," 1998, Wrox Press Ltd (hereinafter *Fedorov et al.*).

As per claim 7, *Fedorov et al.* discloses generating a host wizard that defines an extension interface to respond to navigation events (*seismic.asp*, an Active Server Page that causes the loading and display of a wizard dialog box; see, for example, the last paragraph on p. 423; the response to navigation events is implemented through the "< Back", "Next >", "Cancel", and "Send" navigation controls as illustrated, for example, on pp. 424-426); generating a web component comprising: a web page containing a header area, a wizard control area and a control interface area (see, for example, the screenshots of the wizard dialog on pp. 424-426), the control interface area having navigation control to recursively navigate within said web component and to said host wizard, by utilizing one or more object module functions enabling navigation (the screenshots of the wizard dialog on pp. 424-426 clearly show the "< Back" and "Next >" navigation controls). *Fedorov et al.* further discloses generating a user interface that integrates the web component into the host wizard by utilizing the extension interface to perform recursive navigation between said web component and said host wizard (the user-interface is provided by *equakeget.htm*, an HTML page, which interacts with the user and submits entered results to the Active Server Page script in *seismic.asp*; see, for example, "Submitting the Data" on p. 431); and utilizing an information container to exchange informational items between the web component and the host wizard (a return string is generated to convey the results; see, for example, "Submitting the Data" on p. 431).

As per claim 10, this is a computer readable medium version of the method discussed above (claim 7). The use of such a computer readable medium, such as memory, is further inherent in realizing the computer-implemented functionality disclosed by *Fedorov et al.*

As per claim 11, this is a computer system version of the method discussed above (claim 7). *Fedorov et al.* further discloses the prescribed methods as being computer-implemented (for example, the screenshots on pp. 424-427 illustrate execution within an Internet Explorer web browser environment, which inherently requires a processor and a memory to function as illustrated/described).

12. Claims 1-6, 8, 9, and 12-15 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,574,791 to Gauthier et al.

As per claim 1, *Gauthier et al.* discloses generating a host-wizard component (see, for example, col. 9, line 56, through col. 10, line 5); generating one or more sub-wizard components (see, for example, col. 9, line 56, through col. 10, line 5); and said host-wizard invoking said one or more subwizard components during said host-wizard component execution (see, for example, col. 9, line 56, through col. 10, line 5); and transferring control from said host-wizard to said one or more sub-wizard components. As disclosed in col. 14, line 9, through col. 15, line 24, the subwizard includes several objects that define its functionality. For example, the WizardState object included in the subwizard maintains a set of attributes used to get and channel data from default attributes and/or user input and deliver those attributes to a WizardCodeGenerator object (col. 14, lines 29-37), and the WizardCodeGenerator object uses this channeled data to either generate code (for example, in the context of a wizard designed to configure a peripheral device)

or perform or execute existing code (col. 15, lines 1-24). As the functionality for the subwizard is defined within the subwizard, control must be passed to the subwizard during execution in order to realize the described functionality.

As per claim 2, *Gauthier et al.* further discloses the sub-wizard components being browser based object components (see, for example, col. 18, line 66, through col. 19, line 30).

As per claim 3, *Gauthier et al.* further discloses the sub-wizard components being operating system based application component object extensions (the basic functionality of the computer system disclosed by *Gauthier et al.* is controlled by operating system 100; see, for example, col. 6, lines 42-46).

As per claim 8, this is a computer readable medium version of the method discussed above (claim 1). *Gauthier et al.* further discloses the use of such a medium to implement the prescribed methods (see, for example, col. 5, line 52, through col. 6, line 4).

As per claim 9, this is a computer system version of the method discussed above (claim 1). *Gauthier et al.* further discloses the use of such a system to implement the prescribed methods (see, for example, col. 5, line 24, through col. 6, line 46).

As per claim 4, *Gauthier et al.* discloses a host wizard having a host-wizard interface to communicate with other wizards (see, for example, col. 9, line 56, through col. 10, line 5) and a host-wizard navigational component to transfer control to other wizards (see, for example, col. 10, lines 57-67; and col. 14, lines 9-14); one or more sub-wizard components, said one or more sub-wizard components having sub-wizard interfaces to communication with other wizards and sub-wizard navigational components to transfer control to other wizards. The WizardManager

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class disclosed by *Gauthier et al.* defines objects which control the execution of multiple subwizards within the target wizards. *Gauthier* further discloses a WizardManagerSelectionPanel class providing a GUI interface panel with dynamically updated content to allow a user of the target wizard to select from a list of available subwizards (col. 10, lines 30-33), thus providing the necessary navigation component to invoke the selected subwizard. Further, as disclosed in col. 14, line 9, through col. 15, line 24, the subwizard includes several objects that define its functionality. For example, the WizardState object included in the subwizard maintains a set of attributes used to get and channel data from default attributes and/or user input and deliver those attributes to a WizardCodeGenerator object (col. 14, lines 29-37), and the WizardCodeGenerator object uses this channeled data to either generate code (for example, in the context of a wizard designed to configure a peripheral device) or perform or execute existing code (col. 15, lines 1-24). As the functionality for the subwizard is defined within the subwizard, control must be passed to the subwizard during execution in order to realize the described functionality. *Gauthier et al.* further discloses said host wizard communicating with one or more sub-wizard components through the host-wizard interface and sub-wizard interfaces (see, for example, col. 9, line 56, through col. 10, line 5; col. 10, lines 57-67; and col. 14, lines 9-14); and wherein control is transferred between the host wizard and the sub-wizard component through the host navigational component and the sub-wizard navigational component (see, for example, col. 10, lines 57-67; and col. 14, lines 9-14).

As per claim 5, *Gauthier et al.* further discloses the sub-wizard components being browser based object components (see, for example, col. 18, line 66, through col. 19, line 30).

As per claim 6, *Gauthier et al.* further discloses the sub-wizard components being operating system based application component object extensions (the basic functionality of the computer system disclosed by *Gauthier et al.* is controlled by operating system 100; see, for example, col. 6, lines 42-46).

As per claim 12, *Gauthier et al.* discloses generating a first wizard (see, for example, col. 9, line 56, through col. 10, line 5); generating a second wizard (see, for example, col. 9, line 56, through col. 10, line 5); and utilizing at least one navigational component on each of said first and second wizards allowing sequential progression or regression through said first and second wizards to chain said second wizard to said first wizard (see, for example, col. 10, lines 57-67; and col. 14, lines 9-14).

As per claim 13, *Gauthier et al.* further discloses the first and second wizards each being an operating system based wizard (the basic functionality of the computer system disclosed by *Gauthier et al.* is controlled by operating system 100; see, for example, col. 6, lines 42-46) or a web based wizard (see, for example, col. 18, line 66, through col. 19, line 30).

As per claim 14, this is a computer system version of the method discussed above (claim 12). *Gauthier et al.* further discloses the use of such a system to implement the prescribed methods (see, for example, col. 5, line 24, through col. 6, line 46). *Gauthier et al.* also discloses the wizards having panels to guide a user through tasks (see, for example, col. 2, lines 4-13; col. 11, lines 54-63).

As per claim 15, this is a computer readable medium version of the method discussed above (claim 12). *Gauthier et al.* further discloses the use of such a medium to implement the prescribed methods (see, for example, col. 5, line 52, through col. 6, line 4). *Gauthier et al.* also

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discloses the wizards detailing instructions associated with tasks (see, for example, col. 2, lines 4-21).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,574,791 to Gauthier et al. in view of Alex Fedorov, et al., "Professional Active Server Pages 2.0," 1998, Wrox Press Ltd ("*Fedorov et al.*").

As per claims 16-20, although *Gauthier et al.* discloses the features recited in claims 1, 4, 8, 9, and 12 (see the rejection under 35 U.S.C. § 102(b) above), *Gauthier et al.* fails to expressly disclose passing a property bag (an assorted collection of miscellaneous data, variables and other information that a developer needs to transfer between wizards) between said host-wizard component and said one or more sub-wizard components. However, *Fedorov et al.* teaches providing a host wizard (*seismic.asp*, an Active Server Page that causes the loading and display of a wizard dialog box; see, for example, the last paragraph on p. 423) and a subwizard (the user-interface provided by *equakeget.htm*, an HTML page, which interacts with the user and submits entered results to the Active Server Page script in *seismic.asp*; see, for example, "Submitting the Data" on p. 431), wherein a "property bag" (a return string) is generated to pass the results back to the host wizard (see, for example, "Submitting the Data" on p. 431, describing the passing of collected data to *seismic.asp* and the figure on p. 427, illustrating the subsequent display of the

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generated output in the web browser window). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the wizards/subwizards of *Gauthier et al.* to include such passing of data (a "property bag") as per the teachings of *Fedorov et al.* One would be motivated to do so to allow a host to process the data gathered by a sub-wizard to accomplish an overall task, particularly where large amounts of data must be collected or when tasks are complex (see, for example, *Fedorov* "Using Enhanced Forms with ASP" and "A Tour of the Seismic Load Calculator" on p. 423).

Conclusion

15. Any new ground(s) of rejection presented in this Office action were necessitated by Applicant's amendment. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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16. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Eric B. Kiss whose telephone number is (571) 272-3699. The Examiner can normally be reached on Tue. - Fri., 7:00 am - 4:30 pm. The Examiner can also be reached on alternate Mondays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Tuan Dam, can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature should be directed to the TC 2100 Group receptionist:
571-272-2100.

EBK/*EBK*
November 30, 2006


TUAN DAM
SUPERVISORY PATENT EXAMINER